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09/645,217	08/24/2000	David F Broadbent	437312000400	4405

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EXAMINER

CHEUNG, MARY DA ZHI WANG

ART UNIT	PAPER NUMBER
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3621

DATE MAILED: 12/29/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/645,217

Applicant(s)

BROADBENT ET AL.

Examiner

Mary Cheung

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 18 September 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Status of the Claims***

1. This action is in response to the communication filed on September 18, 2003.

Claims 1-17 are pending. Claims 1, 7, 11-12 and 15 have been amended.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 1-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dykstra et al., U. S. Patent 5,611,052 in view of Anderson et al., U. S. Patent 6,209,095.

As to claims 1, 7, 11-12 and 15, Dykstra teaches a computer implement method, a compliance engine, an apparatus, a network, and a computer program product for

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generating a set of required procedures for processing a mortgage loan comprising the acts of (abstract):

- a) Receiving a request to process a mortgage loan at a server node (*Direct Lending CPU in Fig. 1*), the request including loan application data (column 4 lines 12-40 and Figs. 1-2A);
- b) Accessing an electronic database, the electronic database including a comprehensive list of tasks (column 3 lines 37-48; *specifically, the electronically database corresponds to the mass storage, and the tasks correspond to the plurality of modules in Dykstra's teaching*);
- c) Applying appropriate jurisdictional, employee and lender criteria to the loan application data and to the electronic database to automatically determine a set of loan processing tasks applicable to each mortgage loan transaction (column 4 line 12 – column 7 line 42 and Figs. 2A-2F; *specifically, "a set of loan processing tasks" correspond to the plurality of the loan processing procedures in Dykstra's teaching, such as credit checking, credit scoring, etc.*);
- d) Generating a plurality of trackable task actions at the server node, the plurality of task actions comprising a subset of the comprehensive list and disclosing all actions required to process the mortgage loan (Figs. 2A-2F);
- e) Distributing one or more of the tasks from the server node to one or more systems capable of performing one or more of the tasks (column 3 line 33 – column 4 line 11 and Figs. 1-2A).

As to claims 1, 7, 11-12 and 15, Dykstra does not specifically teach the comprehensive list of tasks required to comply with federal rules and regulations, state rules and regulations, and local rules and regulations, and the plurality of tasks actions comprising a subset of comprehensive list and disclosing all actions required to process the mortgage loan in compliance with applicable federal or state law. However, this matter is taught by Anderson as processing mortgage loan application, and said application is designed to be complied with mortgage lending regulations (column 10 lines 65-67 and Fig. 25). It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the loan processing tasks of Dykstra to be complied with the loan lending regulations for preventing illegal loan transactions.

As to claim 7, Dykstra modified by Anderson teaches the document processing is designed to comply with regulations (Dykstra: column 10 lines 63-67). Dykstra modified by Anderson does not explicitly teach applying an updatable set of rules, logic and criteria for processing the transactions. It would have been obvious to one of ordinary skill in the art to allow the teaching of Dykstra modified by Anderson to include the feature of applying an updatable set of rules, logic and criteria for processing the transactions because this would allow the loan processing procedures to be kept updated with the most current laws or regulations.

As to claims 2, 8, 13 and 16, monitoring completion of the plurality of tasks whereby a report of completion of all required tasks can be generated is taught by Dykstra as generating a report when the loan process is completed (Fig. 2A).

As to claim 3, Dykstra teaches authenticating a person submitting the request to process a mortgage loan (Figs. 2A-2B).

As to claim 4, Dykstra teaches electronically transferring the plurality of tasks required to process the loan to an electronic loan processing workflow engine for controlling and managing execution of the tasks (Figs. 1-2A).

As to claims 5, 10, 14 and 17, the plurality of tasks required to process the mortgage loan are based upon mortgage loan related laws and regulations comprising Federal, State, local and professional regulations and requirements and implementing instructions relating to mortgage loan processing is taught by Dykstra modified by Anderson as processing mortgage loan application, and said application is designed to be complied with mortgage lending regulations (see claim 1 above).

As to claim 6, producing a completion certificate is taught by Dykstra as generating a report when the loan process is completed (Fig. 2A).

As to claim 9, selected vendors are automatically notified by the compliance engine to perform a task and to report task completion to the compliance engine is taught by Dykstra as selected vendors (i.e. credit bureau) are automatically notified by the Direct Lending CPU to perform a task and to report task completion to the Direct Lending CPU (column 4 line 41 – column 5 line 12 and Figs. 1-2A).

### ***Response to Arguments***

5. Applicant's arguments filed September 18, 2003 have been fully considered but they are not persuasive.

Applicant argues that Dykstra and Anderson fail to teach the newly added limitation of a comprehensive list of tasks required to comply with federal rules, and regulations, state rules and regulations, and local rules and regulations, and generating a plurality of task actions comprising a subset of the comprehensive list and identifying actions required to process the mortgage loan in compliance with applicable federal or state law. Examiner respectfully disagree because Dykstra teaches generating a plurality of task actions comprising a subset of the comprehensive list to process the loan, and Anderson teaches processing mortgage loan application, and said application is designed to be complied with mortgage lending regulations as discussed in claims 1, 7, 11-12 and 15 in the office action hereinabove. The lending regulations in Anderson's teaching inherently include the regulations comply with federal, state, and local rules, regulations, and laws because if they are not, the business is not legal and should not be established in the first place. Thus, one of ordinary skill in the art would be motivated to include Anderson's teaching to the loan processing tasks of Dykstra for preventing illegal loan transactions.

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Highbloom (U. S. Patent 5,623,403) discloses proactively and continuously monitoring the compliance of property transaction agents with government regulation laws.

Cwenar (U. S. Patent 5,893,079) discloses processing investments to be complied with rules.

**7. THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.



***Inquire***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mary Cheung whose telephone number is (703)-305-0084. The examiner can normally be reached on Monday – Thursday from 8:00 AM to 5:30 PM. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell, can be reached on (703) 305-9768.

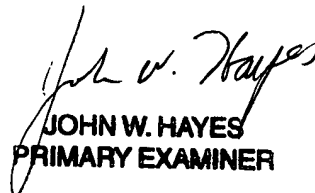
Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

The fax phone number for the organization where this application or proceedings is assigned are as follows:

(703) 872-9306      (Official Communications; including After Final  
Communications labeled "BOX AF")  
(703) 746-5619      (Draft Communications)

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, 7<sup>th</sup> Floor Receptionist.

Mary Cheung  
Patent Examiner  
Art Unit 3621  
December 12, 2003

  
JOHN W. HAYES  
PRIMARY EXAMINER